by certify that this correspondence is being deposited with the U.S. Postal with sufficient postage se First Class Mail, in an env Commissioner for Patents, P.O. Box 1450, Alexant

Dated: January 13, 2005

Docket No.: SPINE 3.0-455 CONT VII

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK-OFFICE

In re Patent Application of:

Zubok et al.

Application No.: 10/776,488

Confirmation No.: 3255

Filed: February 11, 2004

Art Unit: 3738

For: CERVICAL DISC REPLACEMENT METHOD

Examiner: C. L. Miller

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Assignee, SpineCore, Inc., hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: January 13, 2005

Respectfully submitted,

Michael J. Doherty

Registration No.: 40,592

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant